

APPENDIX B – Continuing Violation Doctrine

State	Applicability of Continuing Violation Doctrine	Citation
Arkansas	Not recognized	<i>Chalmers v. Toyota Motor Sales, USA, Inc.</i> , 935 S.W.2d 258, 264 (Ark. 1996) (“[T]he continuing-tort theory is not recognized in Arkansas.”).
Colorado	Not recognized	<i>Tara Woods Ltd. P’ship v. Fannie Mae</i> , 731 F. Supp. 2d 1103, 1120 (D. Colo. 2010), <i>aff’d</i> , 566 F. App’x 681 (10th Cir. 2014) (“Colorado limits the application of the ‘continuing violation’ doctrine to employment discrimination cases.” (citing <i>Polk v. Hergert Land & Cattle Co.</i> , 5 P.3d 402, 405 (Colo. App. 2000))).
Delaware	Only applies to continuing acts within the limitations period	<i>Acierno v. Goldstein</i> , No. CIV.A. 20056-NC, 2005 WL 3111993, at *5 (Del. Ch. Nov. 16, 2005).
District of Columbia	Only applies to continuing acts within the limitations period	<i>Ford v. Md. Att’y Gen.</i> , No. 17-2525 (ABJ), 2018 WL 5251742, at *7 (D.D.C. Oct. 22, 2018) (“While the effects [of a single gas leak] may be ongoing, this by itself is not enough to delay the accrual of a . . . cause of action.” (internal quotation and citation omitted)).
Maryland	Only applies to continuing acts within the limitations period	<i>Holley v. Baltimore City Bd. of Sch. Comm’rs</i> , 223 Md. App. 768, 2015 WL 5944169, at *4 (Md. Ct. Spec. App. 2015).
Massachusetts	Only applies to continuing acts within the limitations period	<i>Monteferrante v. Williams-Sonoma, Inc.</i> , 241 F. Supp. 3d 264, 272 (D. Mass. 2017).
Mississippi	Only applies to continuing acts within the limitations period	<i>Smith v. Franklin Custodian Funds, Inc.</i> , 726 So. 2d 144, 148 (Miss. 1998).
New York	Only applies to continuing acts within the limitations period	<i>In re Lamictal Indirect Purchaser & Antitrust Consumer Litig.</i> , 172 F. Supp. 3d 724, 743 (D.N.J. 2016) (applying New York law) (“purchases of generic and branded [drugs] at artificially inflated prices . . . are more appropriately viewed as the ‘continuing effects’ of the allegedly unlawful settlement agreement” and thus “the continuing violation doctrine does not toll the running of the limitations period”).

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North Carolina	Only applies to continuing acts within the limitations period	<i>TaiDoc Tech. Corp. v. OK Biotech Co.</i> , No. 12 CVS 20909, 2016 WL 1221425, at *17 (N.C. Super. Mar. 28, 2016).
Puerto Rico	Only applies to continuing acts within the limitations period	<i>Torres v. Hosp. San Cristobal</i> , 831 F. Supp. 2d 540, 544 (D.P.R. 2011).
Rhode Island	Only applies to continuing acts within the limitations period	<i>Croce v. State, Office of Adjutant Gen.</i> , 881 A.2d 75, 79 (R.I. 2005).
Washington	Only applies to continuing acts within the limitations period	<i>Snider v. Town of Rainier</i> , 112 Wash. App. 1036, 2002 WL 1486647, at *6 (2002).